

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : 14 Cr. 68 (KBF)

- against -

ROSS ULBRICHT,

Defendant. :

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**DECLARATION JOSHUA L.
DRATEL, ESQ. IN SUPPORT OF
DEFENDANT ROSS ULBRICHT'S
MOTIONS IN LIMINE**

Joshua L. Dratel, Esq., pursuant to 28 U.S.C. §1746, hereby affirms under penalty of perjury:

1. I am an attorney, and I represent defendant Ross Ulbricht in the above-captioned case by CJA appointment. I make this Declaration in support of Mr. Ulbricht's motion *in limine* to preclude certain evidence, and proposed Government Exhibits, which constitute inadmissible hearsay, and which are irrelevant and/or prejudicial, and also precluding any evidence of the alleged attempted "murder[s] for hire," as well as certain proposed Government Exhibits which are insufficiently authenticated pursuant to the Second Circuit's recent opinion in *United States v. Vayner*, 769 F.3d 125 (2d Cir. 2014), to preclude evidence and proposed Government Exhibits relating to Mr. Ulbricht's alleged ordering of false identification documents offered as evidence of consciousness of guilt [REDACTED]

2. The bases for these motions are set forth in detail in the accompanying Memorandum of Law. Also, it is respectfully requested that the facts set forth within the Memorandum of Law be incorporated by reference in this Declaration.

WHEREFORE, it is respectfully requested that the Court grant Mr. Ulbricht's Motions in

their entirety.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. 28 U.S.C. §1746. Executed December 9, 2014.

/S/ Joshua L. Dratel
JOSHUA L. DRATEL